

MEASURE J COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA
www.palmspringsca.gov



MEETING MINUTES
THURSDAY, MAY 20, 2021 5:30 P.M.

Pursuant to Executive Order N-29-20, this meeting was conducted by teleconference and there was no in-person public access to the meeting location.

CALL TO ORDER: Vice Chair Craig called the May 20, 2021 Regular Meeting of the Measure J Commission of the City of Palm Springs to order at 5:31 p.m.

ROLL CALL:

PRESENT: Commissioners Bernstein, Futterer, Robin, Soto, Marshall, Vice-Chair Craig.

ABSENT: Chair Gazan

ALSO, PRESENT: Finance Director, Pauley, Commission Secretary, Sterling, City Manager, Clifton, Principal Engineer, Uyeno and Office of Sustainability Manager, Tallarico.

PLEDGE OF ALLEGIANCE: Vice Chair Craig led the Pledge of Allegiance.

ACCEPTANCE OF THE AGENDA: Approve the Agenda as presented. **Motion by Commissioner Soto, seconded by Commissioner Bernstein and unanimously carried.**

APPROVAL OF MINUTES: Correct minutes to add Incoming Commissioner Marshall to the Roll call as present. Approve the corrected minutes of April 15, 2021. **Motion by Commissioner Bernstein, seconded by Commissioner Robin and unanimously carried.**

PUBLIC COMMENT: None.

1. WELCOME AND COMMENTS FROM MEASURE J CHAIR:

Vice Chair Craig welcomed everyone.

ACTION: No action taken.

2. NEW BUSINESS:

2. A. MEASURE J BUDGET UPDATE: Finance Director Pauley provided a budget update with year to date revenue for FY2021/21 of \$11,156,737 compared to FY2019/20 of \$10,596,222.

ACTION: No action Taken

3. OLD BUSINESS:

3. A. BRIEF REVIEW OF CAPITAL IMPROVEMENT PROGRAM: Principal Engineer, Uyeno provided a brief update on the 5-Year Capital Improvement Program. He provided a detail sheet for each project for year one and the projects that will start in year one. Most of the projects listed in year 1 and year 2 are projects that were previously approved by the Commission but considered inactive. The only ones that are new in the Year 1 project list is Arnico Tract Sewer – Phase 4 and the Fire Tower Training Facility. Principal Engineer, Uyeno spent some time to explain how the CIP project list will work. For example, if a project is listed in year one, two and three, it means we are allocating part of the money needed for construction each year and may not get started until the third year. Discussion continued regarding the Fire Tower Training Facility and the need for it and the benefits in having this investment.

ACTION: No Action Taken

3. B. REVIEW INFRASTRUCTURE REQUEST FROM OFFICE OF SUSTAINABILITY: Office of Sustainability Manager, Tallarico reviewed a list of three items that he is requesting funding assistance from Measure J., (1) Turf Conversion at \$250,000 which will help with drought and to preserve infrastructure such as roads and sidewalks, (2) bike racks at \$75,000 which will increase bike racks across the city both on city property and at or near businesses, and (3) new fencing for the Community Garden at \$15,000 to assist with preventing break-ins that continue to happen.

ACTION: Motion to approve Turf Conversion, Bike Infrastructure and Fencing for Community Garden as presented by Office of Sustainability. **Motion by Commissioner Bernstein, seconded by Commissioner Robin and unanimously carried.**

COMMISSION SECRETARY NOTE: Following the conclusion of the meeting, Finance Director Pauley verified that the infrastructure request from Sustainability Manager, Patrick Tallarico, would need to follow the application guidelines and procedures.

3. C. UPDATE ON SOCIAL MEDIA ANNOUNCEMENTS: Commissioner Bernstein reported that the Committee met with Amy Blaisdell and the Social Media consultant and they decided to start with an introductory video on general information of what Measure j is and what it does. This video will be filmed next week. The next step is to work on social media to announce the status of current projects, completed projects and new projects. Also, to clearly mark the completed projects with a Measure J emblem. Commissioner Soto asked that all the Commissioners provide feedback and suggestions on what projects need to be promoted.

4. COMMISSION MEMBER COMMENTS AND REQUEST: Commissioner Futterer brought up getting the Public Outreach Committee back together to continue to make the Community project application and process easy and accessible. We also need to update the Measure J website. Discussed having an online survey and design it with themes that match presentations for the appropriate month. Make forms available at the Library, Parks and Rec, City Hall and more.

Commissioner Bernstein suggests that along with the community outreach we should reach out to the Library and Parks Commission, to see if they have an updated list of needs. Stacy is going to attend the Parks Commission meeting on Monday to see what their priorities are and what they need.

ADJOURNMENT: The Regular Meeting of the Measure J Commission of the City of Palm Springs adjourned at 6:52 p.m. to Thursday, June 17, 2021, at 5:30 p.m., via Teleconference.

APPROVED BY A MOTION OF THE MEASURE J COMMISSION THIS 17TH DAY OF JUNE 2021.

Shantel Sterling, Commission Secretary

DRAFT

City of Palm Springs
Multi-Year Summary of Available Measure J Funds

	Projected				
	Original Budget 2020-2021	Adopted Revised Budget 2020-2021	Mid-Year Budget 2020-2021	Recommended Budget 2020-2021	Projected Budget 2021-2022
Estimated Revenue	\$ 16,126,700	\$ 6,000,000	\$ 5,069,513	\$ 16,037,800	\$ 16,500,000
Unexpended PY Reallocated	-	-	-	430,183	7,180,601
Total Available Funds	16,126,700	6,000,000	5,069,513	16,467,983	23,680,601
<i>Existing Budget Obligations:</i>					
Multi-Year Projects:					
Street Repairs	3,000,000	-	-	6,000,000	3,000,000
Community Projects	1,000,000	-	-	1,000,000	1,000,000
Airport Reserve on Aviation Fuel Sales per FAA *	200,000	-	-	200,000	200,000
Total Multi-Year Projects (Subtotal)	4,200,000	-	-	7,200,000	4,200,000
Adjustments to Prior-Year Projects	-	-	-	-	-
Other Approved Projects and Expenses:					
Debt Service	3,200,000	3,200,000	(2,416,800)	783,200	1,754,980
Downtown Prop Maint & Other Expenses	575,000	-	-	-	1,350,000
Roundabout at 3 Locations	-	-	-	-	100,000
Amico Tract Sewer - Phase 4	-	-	-	-	585,000
Park Restrooms Renovations (Victoria, Ruth Hardy)	-	-	-	-	270,000
Emergency Generators	-	-	-	-	600,000
Citywide HVAC Water Treatment Program	-	-	-	-	100,000
Recreation Field LED Lighting Upgrade-Design	-	-	-	-	600,000
Fire Tower Training Facility	-	-	-	-	400,000
Demuth Dog Park	-	-	-	-	202,000
Shade Structures (15 locations at Various Parks)	-	-	-	283,418	-
Park Benches (10 at Demuth Park)	-	-	-	-	-
Playground Surfacing (Demuth, Victoria, JOJDHUC)	-	-	-	275,000	-
Pavilion Landscaping	-	-	-	-	-
LED Lighting Project for the Park Ballfields	-	-	-	-	-
Restrooms at Sunrise Park	-	-	250,000	250,000	-
Demuth Park Restroom Upgrade	-	-	-	285,764	-
Desert Highland Park Restrooms	-	-	-	210,000	-
Transfer to General Fund	-	2,800,000	-	-	-
Total Existing Budget Obligations	7,975,000	6,000,000	(2,166,800)	9,287,382	10,161,980
Unallocated New Funds Available for Budgeting	\$ 8,151,700	\$ -	\$ 7,236,313	\$ 7,180,601	\$ 13,518,621
Unexpended PY Funding Available to Reallocate	-	-	-	-	-
Total Funds Available for Budgeting	\$ 8,151,700	\$ -	\$ 7,236,313	\$ 7,180,601	\$ 13,518,621
Unexpended Prior Year Community Project Funding	-	-	-	-	-

* Note: Effective December 8, 2017, per a Federal Aviation Administration ruling, the City is required to set aside Measure J sales taxes collected on aviation fuel sales for airport project expenses.

YTD Revenue Comparison through May 31:

FY 2020-21	12,432,329	
FY 2019-20	11,184,772	
Increase in Revenue from Previous Fiscal Year	1,247,557	11.2%



CITY OF PALM SPRINGS

MEASURE J

COMMUNITY INITIATED PROJECTS

Thank you for your interest in using Measure J Funds for your project. To ensure the best outcome for your project we suggest you read all of the information provided in this application packet, prior to completing the form.

What is Measure J?

After extensive public discussion and community input, Measure J was put on the November 8, 2011 ballot to provide a source of local revenue to maintain local community services and economically revitalize the Palm Springs downtown area. Measure J is a one percent sales and use tax added to purchases made in the City of Palm Springs. However, not all purchases are subject to sales tax. For example, food, groceries, prescription medication, and admission charges to theaters, sporting events, and golf courses are not subject to sales tax. The Palm Springs voters approved this measure, which took effect on April 1, 2012 and will sunset at the end of 25 years. For additional information visit www.psmeasurej.com.

What is the Measure J Commission?

The City Council adopted an ordinance establishing a Citizen Oversight Commission to oversee and monitor all expenditure and audits of Measure J Funds and make recommendations to the City Council as a part of the City's budget process. The Measure J Commission consists of 9 commissioners and 2 alternates, all of whom are residents of the City of Palm Springs.

What are Community Initiated Projects?

The City Council authorized to set aside \$1 million of Measure J funds for Community Initiated Projects. These projects come to the Measure J Commission from the community at-large for consideration of using Measure J funds to pay for the project.

Who can submit a Community Initiated Project?

Individual citizens, neighborhood organizations, business and organizations in Palm Springs can submit a project for consideration. You are strongly encouraged to think about ideas or projects that will enhance the livability and overall quality of life for people who live, work and play in our City.

How are projects selected to be a Measure J - Community Initiated Project?

Submitted applications will be reviewed by members of the Measure J Commission. They will provide their recommendations to Staff to see which are viable projects. Based on the list of viable projects, the Measure J Commission will make final recommendations to the Palm Springs City Council for final approval.

Timelines for the application process are as follows:

September 1, 2021:

Application forms will be available on the City's website for Measure J at www.psmmeasureJ.com. Hard copies will also be made available for pick up at various City facilities.

December 2, 2021 by 6:00 pm:

Completed applications are returned (preferably via email to xxxx@xxxxx.xxx) or can be dropped off or mailed to City Hall at:

City of Palm Springs
Attn: XXXXXXXXXXXX
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

January through April Measure J Commission Meetings (3rd Thursday of the Month):

Community Initiated Projects will be grouped into themes, such as Park Projects, Public Safety (Police and Fire), Transportation (Streets, Traffic, Bikes, and Pedestrians), Facilities (Library, Fire Stations, City Yard, etc.), then reviewed together at one of the Commission meetings. Project applicants may be asked to do a presentation to Commission for no more than 5 minutes in length.

May Measure J Commission Meeting:

Measure J Commission completes final review of projects and makes final selection of projects to recommend to the City Council for approval. The City Council will make final decision and the Measure J Commission will inform applicants of whether or not their proposal was accepted.



CITY OF PALM SPRINGS MEASURE J COMMUNITY INITIATED PROJECTS APPLICATION FORM

Name of Applicant: _____ Date Submitted: _____

Applicant Type:

- Business
- City Commission
- Individual
- Neighborhood Organization
- Organization (non-profit)

Are you a 501c(3) Organization? Yes, If yes provide IRS ID# _____
No

Tell us about your project:

1. Does this project improve...? (check all that apply)

- | | | |
|------------------------------------|----------------------------|-----------------------|
| business community | historic preservation | police/fire/emergency |
| downtown enhancements | museums/public art | special events |
| educational services | music programs | tourism services |
| the environment/
sustainability | nature/hiking trails | traffic flow |
| health services | park/recreation facilities | technology |
| | pedestrian safety | |

2. What demographic(s) does this project serve? (check all that apply)

- | | | |
|--|--------------------------------|------------------------------|
| adults, 18+ | children, 0-4 | parents |
| Agua Caliente Band
of Cahuilla Indians
and/or other tribes | children, 5-12 | persons with a
disability |
| animals/pets | children, 13-18 | seniors/older adults |
| bicyclists | commuters
(bus/transit/air) | tourists |
| | LGBTQ+ | |

3. Estimated project cost (if you have an educated guess) _____

On a separate sheet of paper, write a short description of your proposed project. Think about the 5 W's, (Who, What, When, Where, Why) as you write it.

Then answer the following questions as it pertains to your proposed project. If it does not, write none or not applicable to the questions. Do not leave any question blank.

1. How does this project make Palm Springs a safe, desirable place to live, work, and visit?
2. How does this project benefit the majority of residents and/or tourists in our City?

3. How does this project provide a long-term benefit to the community, or describe how the project can be used over a long period of time?
4. How does the project provide a positive return on investment to the City of Palm Springs?
5. How is this project sustainable/green?

Applicant's information: Please choose one main contact person for this application. (this information will not be provided to the evaluators, it will be used to contact the applicant if more information is needed or to coordinate with you if your project is invited to be presented to the full Measure J Commission at one of their meetings)

Name of Contact Person: _____

Contact Person's Phone Number: _____

Contact Person's Email Address: _____

Evaluation Criteria:

The Measure J Commissioners will evaluate projects by asking the following nine questions and use their subjective judgement to score them as follows:

- If the answer is "no" – score 0 points
- If the answer is "marginally" – score 1 or 2 points
- If the answer is "somewhat" – score 3, 4, or 5 points
- If the answer is "totally" – score 6 points

1. Does this project make Palm Springs a safe, desirable place to live, work, and visit?
2. Does this project benefit the majority of residents and/or tourists in our City?
3. Does this project provide a long-term benefit to the community, or can the project be used over a long period of time?
4. Does the project provide a positive return on investment to the City of Palm Springs?
5. Is the project sustainable/green?

Scores will be totaled and divided by the number of evaluators to get an average score.



City of Palm Springs

Engineering Division

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MEMORANDUM

DATE: June 17, 2021
TO: Jim Gazan, Chair – Measure J Commission
FROM: Joel Montalvo, City Engineer
SUBJECT: Request for Measure J Funds for additional playground surfacing project

The Measure J has already approved \$550,000 in funding for replacing the playground surfacing at Victoria Park, Demuth Park and Desert Highland Park.

The volatility in current material cost across the country has placed staff in a very awkward position of not being able to accurately predict the cost of materials. When staff previously requested an additional \$275,000 from Measure J, we had two contractors ready and willing to perform the work for under \$550,000. One contractor was going to manufacture and install rubber tiles and the other contractor was to do the poured in place. Staff committed to the contractors and prepared the agreements for each.

Unfortunately, the contractor that was going to perform the poured in placed work misrepresented their ability to perform work for public agencies through Government Contracting. When requested to produce their California contractor's license, a requirement of the City, the contractor was unable. Apparently, the contractor had worked on other projects in local schools and other cities but somehow was never asked about the California license.

Staff is now at a crossroads; we have several different options that we want to present to the Measure J Commission that would guide how we proceed with the project.

1. Ask for an additional \$250,000 from the Measure J Commission to account for the volatility of material costs and to work with a new contractor that has a California License to complete the project. The total cost of the project would be \$800,000. As a point of reference, when staff was contemplating using all tiles for the project the cost was approximately \$1.3 million.
2. Stop the project and have staff use the City standard bidding procedures and move away from Government Contracting. Staff wanted to use Government Contracting as a method to expedite work and reduce cost. Staff feels that neither of our assumptions of Government Contracting is truly working to the City's benefit.
3. Remove the poured in placed portion of the project (Victoria Park) from this project and follow a standard bidding procedure for the work. Staff is unable to guarantee that following this method will produce a more cost-effective project.

Project History

On September 24, 2020, the City Council approved the Measure J Commission and Staff's recommendation to fund 9 priority projects with the Playground Surfacing Project allocated \$275,000 in funding. This cost estimate was based on replacing the worn out, stained rubberized surface material with a "like for like" surface.

Staff evaluated the existing playground surfaces at all parks, determining that the playgrounds at Demuth Park, Desert Highland Park and Victoria Park were in most need of replacement. Noting that the existing materials were installed in 2016 and the typical lifespan of 10-15 years was not achieved due to graffiti, harsh weather and stains, staff investigated replacing the poured -in-place rubber with rubberized surface tiles.

On April 15, 2021, Staff communicated to the Measure J Commission that the budget allocation for the project was insufficient to complete the project. This reflects the change to rubberized surface tiles. The Measure J Commission approved an additional \$275,000 for a total funding allocation of \$550,000. What staff was unable to do is fix the cost of the project with an agreement. The price of materials has continued to grow and with some additional scope that was added to the project (describe below) the project price has continued to grow.

Additional Scope

Sand has been an issue at all three parks. While sand has been a low-cost option for refilling and maintaining areas around playground equipment, it is not ADA compliant and it is accelerating the deterioration of the existing rubberized surface. Staff is proposing to replace existing sand in large areas adjacent to the new playground surfacing with loose rubber mulch. This would occur at Demuth Park and Victoria Park. Unlike other methods of loose fill, the loose rubber mulch will not rot, is odorless, is 100% free of contaminants, will not cause allergies, will not attract insects, and will not hold heat. This product also exceeds ASTM standards for impact protection and is approved for ADA accessibility.

Recommendation

Staff recommends removing the Victoria Park playground resurfacing from this project and allowing staff to concentrate on the other two parks with the current funding of \$550,000. The cost of the project without Victoria Park is \$502,486.